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March 29, 2023

Honorable Kiyo A. Matsumoto
United States District Court,
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11202

Re: **1567 56th Street, LLC et al v. Spitzer et al, 1:22-cv-04873-KAM-RML**

Honorable Judge Matsumoto:

We represent Plaintiffs, who respond to the premotion conference letter of the defendants, Dekel Abstract, Abraham Teitelbaum, and Jehuda Weisz (“Title Processors”) dated March 24, 2023 [ECF 40].

Under FRCP 12(b) a defendant is entitled to file a pre-answer motion, even a futile one. It is impossible to distill all the factual allegations of a 70-page complaint into a three (3) page letter. The standard of review mandates accepting “as true all of the allegations contained in a complaint.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). This means that a court should not omit considering vital facts essential to a party’s claim. Otherwise, the record is not taken as a whole. Moreover, as do its co-defendants, Title Processors play the game as if they were just innocent parties making a routine transaction, which Plaintiffs will refute in the opposition to defendants’ pre-answer motion.

Notably, the Title Processors omit being key participants in the AIF Enterprise, by making critical misrepresentations regarding absentee notarizations of the forged deeds, processing the relevant false deeds and serving as the link between all defendants to fabricate the forged title together with the fraudulent conveyances and mortgages.

Given that the first amended complaint is fact intensive, and the Plaintiffs expect having to answer at least three different motions simultaneously, Plaintiffs respectfully request that the Court set the calendar for Plaintiffs to file its opposition to 60-days from the date of the filing of the respective pre-answer motions. The co-defendants PS Funding in their letter dated March 17, 2023 [ECF 35], and the Title Processors [ECF 40] consented to the same 60-day timeline for Plaintiff to file its opposition.

Respectfully submitted,

/ s / Levi Huebner

Levi Huebner